

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

JOSEPH TAYLOR,)	
)	
Plaintiff,)	
v.)	1:11-cv-1436-JMS-DKL
)	
CORIZON, INC., et al.,)	
)	
Defendants.)	

Entry Discussing Motion to Reconsider

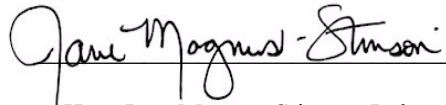
A motion to reconsider is designed to correct manifest errors of law or fact or to present newly discovered evidence. *Publishers Resource, Inc. v. Walker-Davis Publications, Inc.*, 762 F.2d 557, 561 (7th Cir. 1985). For example, a motion for reconsideration is appropriate when: (1) a court has patently misunderstood a party; (2) a court has made a decision outside the adversarial issues presented; (3) a court has made an error not of reasoning but of apprehension; or (4) a change in the law or facts has occurred since the submission of the issue. On the other hand, a motion for reconsideration is an "improper vehicle to introduce evidence previously available or to tender new legal theories." *Bally Export Corp. v. Balicar, Ltd.*, 804 F.2d 398, 404 (7th Cir. 1986).

The plaintiff seeks reconsideration of the Entry and Notice issued on November 19, 2012. That Entry found that the operative pleading setting forth Taylor's claims is the amended complaint filed on October 5, 2012. That amended complaint completely replaced and superseded the plaintiff's prior pleadings. See *Massey v. Helman*, 196 F.3d 727, 735 (7th Cir. 1999). In addition, the court held that the amended complaint filed on October 5, 2012, could proceed as submitted, with the exception of the claim brought pursuant to the Indiana Constitution consistent with the Entry of October 5, 2012. All three of the defendants identified in the amended complaint (including Dr. William H. Wolfe, Corizon, Inc., and Pharma Corr) have appeared in this action and filed an answer. See dkt. 56. A scheduling order was issued on November 27, 2012.

The request for reconsideration [63] is **denied**, because the court properly screened the operative pleading and no persuasive basis for reconsidering that ruling has been shown.

IT IS SO ORDERED.

Date: 01/10/2013

A handwritten signature in black ink, reading "Jane Magnus-Stinson", written over a horizontal line.

Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

Distribution:

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